



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,995	11/09/2001	Atsushi Suzuki	01733/LH	4734

1933 7590 09/21/2005

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 5TH AVE FL 16
NEW YORK, NY 10001-7708

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
----------	--------------

2677

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,995

Applicant(s)

SUZUKI, ATSUSHI

Examiner

Kimnhung Nguyen

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This Application has been examined. The claims 1-11 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-6, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto et al. (US 6,744,426).

Regarding claim 1, Okamoto et al. discloses in figs 1b, 3 and 5, a writing board (1) for user to freely write an image on; a reader configured to read an image written on the writing board to thereby generate image data indicative of the image (see col. 9, lines 38-63); an encoder configured to encode the image data generated by the reader (see G coded, see col. 1, lines 63-67); and a transfer section (301, fig. 5) configured to transfer, via a computer network (300), the image data encoded by the encoder (G train).

Regarding claim 2, Okamoto et al. discloses further, wherein the transfer section transfers the image data as a file attached to an E-mail (see col. 10, lines 8-14).

Regarding claim 4, Okamoto et al. discloses further the transfer section transfers the image data, in response to a request issued via the computer network (300), to a destination which issued the request (fig. 5).

Art Unit: 2677

Regarding claim 5, Okamoto et al. discloses further wherein the transfer section uploads the image data to a server which executes data distribution via the computer network (300).

Regarding claim 6, Okamoto et al. discloses further wherein the transfer section transfers the image data via another network (companies 5), as well as the computer network.

Regarding claim 11, Okamoto et al. discloses in figs 1, 3 and 5, a control method for an electric copy board equipped with a writing board (10 on which a user freely writes an image, comprising: reading an image written on the writing board and generating image data indicative of the image; and transferring the generated image data via a computer network (300, fig. 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (US 6,744,426) in view of Tanaka et al. (US 2002/0051220).

Regarding claim 3, Okamoto et al. does the transfer section (301) transfers the image data. However, Okamoto not disclose the transfer section transfers the image data in accordance with Internet facsimile standards. Tanaka et al. discloses in fig. 1, the image data transfer with Internet facsimile standards (see 0062).

Regarding claims 7-8, Okamoto et al. does not disclose a storage section configured to store the image data. Tanaka et al. discloses a storage section (memory card 6) configured to store the image data (see 0063).

Art Unit: 2677

Regarding claims 9-10, Okamoto et al. does not disclose the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Odified Modified Read). Tanaka et al. discloses the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Modified Modified Read) (see 0062).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of the image data transfer with Internet facsimile standards, the storage section (memory card 6) configured to store the image data, and the encoder encodes the image data by JBIG (Joint Bi-Level Image experts Group) or MMR (Modified Modified Read) as taught by Tanaka et al. into the system of Okamoto et al. because this would provide to display a list of images stored in the memory card and transmit to the liquid crystal display.

Correspondence


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
September 14, 2005



ALEXANDER EISEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2600